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PERKINS COLE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			CHOUDHURY, AZIZUL Q	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/772,320

Applicant(s)

GUPTA ET AL

Examiner

Azizul Choudhury

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/28/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20, 21 and 27-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20, 21 and 27-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>9/2/04</u> |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/25/01, 9/28/04</u> | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This office action is in response to the correspondence received on September 28, 2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-15, 18-21, 27-33 and 36-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson et al (US Pat No: US006463461B1), hereafter referred to as Hanson.

1. With regards to claim 1, Hanson teaches a method comprising: receiving from an electronic mail server an indication of a collaborative electronic mail message that includes a portion for feedback from one or more recipients; displaying an identifier of the collaborative electronic mail message for viewing by a user; accepting commands, made available by an electronic mail program for manipulating other electronic mail messages, to manipulate the collaborative electronic mail message; and performing an accepted command, wherein the performing includes sending to the electronic mail server an indication of the command so that the electronic mail server can modify the collaborative electronic mail message in accordance with the command and notify

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recipients of the modification (Hanson's teaches a design enabling users to communicate and collaborate among a group of participants (column 2, line 24 – column 3, line 34, Hanson). The design allows for a server to provide the collaborative messages (Figure 1, Hanson). The design also allows the messages to be emails (column 2, line 56, Hanson). Finally, Hanson's design has the server attached to the client machines through a network (Figure 1, Hanson). Each client has it's own software interface by which to communicate to the server with via commands (column 2, lines 44-51, Hanson). In software interfaces, it is inherent that when a user enters data and makes a request in the software, the request along with the data is converted to a command, which is sent to the server. The software interfaces translates the commands by which the client and server communicate with one another, into data that is understandable by the user).

2. With regards to claims 2, 3, 4, 5, and 28-30, Hanson teaches a method wherein the commands to manipulate the collaborative electronic mail message include reply, forward, delete and flag commands (The claimed features are inherent within email systems. Hanson's disclosure teaches a collaborative messaging system that uses email (column 2, line 24 – column 3, line 34, Hanson)).

3. With regards to claim 6, Hanson teaches a method wherein the indication comprises the collaborative electronic mail message¹ (Hanson's design has indications comprised within collaborative emails (column 11, lines 32-42, Hanson)).

4. With regards to claim 7, Hanson teaches a method wherein the identifier includes a subject of the collaborative electronic mail message and an author of the collaborative electronic mail message (The claimed feature is inherent within emails. Hanson's design allows for the use of emails (column 2, line 56, Hanson). Furthermore, Hanson's design allows for the creator's address to be listed along with other addresses (column 8, lines 27-49, Hanson)).

5. With regards to claim 8, Hanson teaches a method wherein the identifier includes a size of the collaborative electronic mail message, including all of the content of the collaborative electronic mail message (The claimed feature is inherent within emails. Hanson's design allows for the use of emails (column 2, line 56, Hanson)).

6. With regards to claim 9, Hanson teaches a method wherein the collaborative electronic mail message further includes a graph of responses to the collaborative electronic mail message (Hanson's design allows for dynamic portions to exist within the message/email. The dynamic portion allows for graphs/charts (Figure 4, Hanson)).

7. With regards to claim 10, Hanson teaches a method further comprising: receiving a user selection of a portion of the graph; and indicating which of a plurality of comments in the portion for feedback correspond to the selected portion of the graph (Hanson's design allows for dynamic portions to exist within the message/email. The

dynamic portion allows for graphs/charts (Figure 4, Hanson). It also allows for user interaction).

8. With regards to claim 11, Hanson teaches a method wherein the user selection comprises positioning of a cursor over the portion of the graph (Hanson's design allows for messages/emails to have dynamic portions to them. This includes charts/graphs and user interaction portions (Figure 4, Hanson). In a design that allows for the use of computers with interface tools such as a keyboard and mouse (column 5, lines 39-44, Hanson) and allows for dynamic portions where users are able to make the changes in a message and have all other affiliated messages updated as well (column 2, lines 23-34, Hanson), it is inherent that the cursor feature claimed is present within Hanson's design).

9. With regards to claim 12, Hanson teaches a method wherein the portion of the graph comprises a bar of a bar graph (Hanson's design allows for graphical images such as charts to be present (Figure 4, Hanson) (column 10, lines 45-56, Hanson)).

10. With regards to claim 13, Hanson teaches a method further comprising: receiving a user selection of a portion of the graph; and indicating which of the one or more recipients corresponds to the portion of the graph (Hanson's design allows for dynamic portions allowing for user input (Figure 4, Hanson), which by inputting updates the corresponding messages (column 2, lines 23-34, Hanson). Hanson's design allows

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for a wide array of dynamic input including forms and polls as well as charts (column 10, lines 45-67, Hanson)).

11. With regards to claim 14, Hanson teaches a method wherein a recipient corresponds to the portion of the graph if the recipient's response to the collaborative electronic mail message is reflected in the portion (Hanson's design allows for responses to be made and they are updated to the corresponding messages (column 2, lines 23-51, Hanson)).

12. With regards to claim 15, Hanson teaches a method wherein indicating which of the one or more recipients corresponds to the portion of the graph comprises displaying which of the one or more recipients corresponds to the portion in a box separate from the collaborative electronic mail message (Hanson's design allows for separate portions of the message/email (Figure 4, Hanson)).

13. With regards to claim 18, Hanson teaches a method further comprising: changing the identifier when the collaborative electronic mail message is opened by the user; receiving an indication that the collaborative electronic mail message has been modified; and changing the identifier again to visually indicate that the collaborative electronic mail message has been modified (Hanson's design allows for messages/emails to be updated when the message is opened to display the current information since some information is dynamic (column 4, lines 21-45, Hanson)).

14. With regards to claim 20, further comprising: including, in the identifier, an indication of an author of the collaborative electronic mail message (The claimed feature is inherent within emails. Hanson's design allows for the use of emails (column 2, line 56, Hanson). Furthermore, Hanson's design allows for the creator's address to be listed along with other addresses (column 8, lines 27-49, Hanson)).

15. With regards to claim 21, Hanson teaches a one or more computer-readable memories containing a computer program that is executable by a processor to perform the method (Hanson's design has the design performed by computers (column 5, lines 26-52, Hanson)).

16. With regards to claim 27, Hanson teaches one or more computer-readable media having stored thereon a plurality of instructions that, when executed by one or more processors of a computer, cause the one or more processors to perform acts including: displaying a plurality of user-selectable options for control of electronic mail messages by a client-side portion of an electronic mail program; and allowing the plurality of user-selectable options to also control collaborative electronic mail messages; wherein when a user-selectable option is selected for a collaborative electronic mail message an indication of the option is sent to a server-side portion of the electronic mail program so that the server-side portion of the electronic mail program can apply that option to the collaborative electronic mail message (Hanson's teaches a design enabling users to

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communicate and collaborate among a group of participants (column 2, line 24 – column 3, line 34, Hanson). The design allows for a server to provide the collaborative messages (Figure 1, Hanson). The design also allows the messages to be emails (column 2, line 56, Hanson). Finally, Hanson's design has the server attached to the client machines through a network (Figure 1, Hanson). Each client has its own software interface by which to communicate to the server with via commands (column 2, lines 44-51, Hanson). In software interfaces, it is inherent that when a user enters data and makes a request in the software, the request along with the data is converted to a command, which is sent to the server. The software interfaces translates the commands by which the client and server communicate with one another, into data that is understandable by the user. Finally it is also inherent that with a software interface, that the claimed feature of displaying a plurality of user-selectable options for control is also present within the design).

17. With regards to claim 31, Hanson' teaches one or more computer-readable media, wherein the plurality of instructions further cause the one or more processors to perform acts including accessing, during creation of a new collaborative electronic mail message, an electronic contact list to identify an electronic mail address for a recipient of the collaborative electronic mail message (Hanson's design allows for a list of addresses (contact list) (column 8, lines 27-49, Hanson)).

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18. With regards to claim 32, Hanson' teaches one or more computer-readable media, wherein the plurality of instructions further cause the one or more processors to perform acts including: displaying a user-selectable reminder option; and sending, in response to selection of the reminder option, a reminder of a previously sent collaborative electronic mail message to one or more recipients of the previously sent collaborative electronic mail message (Hanson' disclosure teaches a design that has notification means (column 9, line 1, Hanson) and alert means (column 7, lines 40-42, Hanson)).

19. With regards to claim 33, Hanson teaches one or more computer-readable media wherein the plurality of instructions further cause the one or more processors to perform acts including: displaying a user-selectable summary option; and in response to selection of the summary option, sending a summary, to one or more recipients of the previously sent collaborative electronic mail message, of responses received to a previously sent collaborative electronic mail message (Hanson's design allows users to enter subjects, comments, choices, fill out polls or perform other summary options (column 8, lines 50-62, Hanson)).

20. With regards to claim 36, Hanson teaches one or more computer-readable media wherein the plurality of instructions further cause the one or more processors to perform acts including: identifying, to an author of a collaborative electronic mail message at the computer, how many recipients have not yet opened the collaborative electronic mail

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message; and identifying, to the author, how many recipients have responded to the collaborative electronic mail message (Hanson's design allows for a the users to view who within a list has opened the message/email (column 8, lines 27-62, Hanson)).

21. With regards to claim 37, Hanson teaches one or more computer-readable media, further comprising identifying, to the author, how many recipients have opened but not responded to the collaborative electronic mail message (Hanson's design allows for users to view if the participants within the list responded or not to the message/email (column 8, lines 27-62, Hanson)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16, 17, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson in view of Conmy et al (US Pat No: US006101480A), hereafter referred to as Conmy.

22. With regards to claim 16, Hanson teaches through Conmy, a method further comprising: comparing a time identified in the collaborative electronic mail message

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with an electronic calendar corresponding to the user; determining whether a conflict exists between the time identified in the collaborative electronic mail message and a pre-existing commitment in the electronic calendar; and if a conflict exists, then displaying an indication of the conflict

(Hanson's teaches a design enabling users to communicate and collaborate among a group of participants (column 2, line 24 – column 3, line 34, Hanson). While Hanson' disclosure discusses the use of an email client, it fails to discuss the use of an email client with scheduling means.

Conmy teaches a design for a calendar scheduling program (column 1, lines 49-53, Conmy). The design allows for meeting time conflict resolution as claimed (column 2, lines 18-32, Conmy). In addition, the design is intended for use with email systems (column 9, lines 10-15, Conmy).

Hence, Hanson' disclosure teaches a design combining instant messaging with email; it fails to discuss an email with scheduling means. Conmy's design features a scheduling design for email systems. Thus, it would have been obvious, at the time the invention was made, to combine the teachings of Hanson with those of Conmy to provide a powerful C&S (calendar and scheduling) product line for email users (column 10, lines 34-36, Conmy)).

23. With regards to claim 17, Hanson teaches through Conmy, a method further comprising: comparing a time identified in the collaborative electronic mail message with an electronic task list corresponding to the user; determining whether a conflict

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exists between the time identified in the collaborative electronic mail message and a pre-existing task in the electronic task list; and if a conflict exists, then displaying an indication of the conflict

(Hanson's teaches a design enabling users to communicate and collaborate among a group of participants (column 2, line 24 – column 3, line 34, Hanson). While Hanson' disclosure discusses the use of an email client, it fails to discuss the use of an email client with scheduling means.

Conmy teaches a design for a calendar scheduling program (column 1, lines 49-53, Conmy). The design allows for meeting time conflict resolution as claimed (column 2, lines 18-32, Conmy). In addition, the design is intended for use with email systems (column 9, lines 10-15, Conmy).

Hence, Hanson' disclosure teaches a design combining instant messaging with email; it fails to discuss an email with scheduling means. Conmy's design features a scheduling design for email systems. Thus, it would have been obvious, at the time the invention was made, to combine the teachings of Hanson with those of Conmy to provide a powerful C&S (calendar and scheduling) product line for email users (column 10, lines 34-36, Conmy)).

24. With regards to claim 34, Hanson teaches through Conmy, one or more computer-readable media wherein the plurality of instructions further cause the one or more processors to perform acts including: accessing an electronic calendar maintained by a task manager component; and identifying conflicts between times

included in the collaborative electronic mail messages and commitments in the electronic calendar

(Hanson's teaches a design enabling users to communicate and collaborate among a group of participants (column 2, line 24 – column 3, line 34, Hanson). While Hanson' disclosure discusses the use of an email client, it fails to discuss the use of an email client with scheduling means.

Conmy teaches a design for a calendar scheduling program (column 1, lines 49-53, Conmy). The design allows for meeting time conflict resolution as claimed (column 2, lines 18-32, Conmy). In addition, the design is intended for use with email systems (column 9, lines 10-15, Conmy).

Hence, Hanson' disclosure teaches a design combining instant messaging with email; it fails to discuss an email with scheduling means. Conmy's design features a scheduling design for email systems. Thus, it would have been obvious, at the time the invention was made, to combine the teachings of Hanson with those of Conmy to provide a powerful C&S (calendar and scheduling) product line for email users (column 10, lines 34-36, Conmy)).

25. With regards to claim 35, Hanson teaches through Conmy, one or more computer-readable media wherein the identifying comprises identifying conflicts between commitments in the electronic calendar and collaborative electronic mail messages being authored at the computer as well as collaborative electronic mail messages received at the computer

(Hanson's teaches a design enabling users to communicate and collaborate among a group of participants (column 2, line 24 – column 3, line 34, Hanson). While Hanson' disclosure discusses the use of an email client, it fails to discuss the use of an email client with scheduling means.

Conmy teaches a design for a calendar scheduling program (column 1, lines 49-53, Conmy). The design allows for meeting time conflict resolution as claimed (column 2, lines 18-32, Conmy). In addition, the design is intended for use with email systems (column 9, lines 10-15, Conmy).

Hence, Hanson' disclosure teaches a design combining instant messaging with email; it fails to discuss an email with scheduling means. Conmy's design features a scheduling design for email systems. Thus, it would have been obvious, at the time the invention was made, to combine the teachings of Hanson with those of Conmy to provide a powerful C&S (calendar and scheduling) product line for email users (column 10, lines 34-36, Conmy)).

Remarks

After careful review of the application, the examiner failed to note any truly unique traits within the design claimed. As stated in the previous office action, the patent application: US006463461B1, is the patent application filed by the Zaplet company. The disclosure provides a more thorough description of the design and

further illustrates the lack of novelty within the claimed invention. Therefore, the examiner has created a new office action using this prior art.

As for the remarks provided by the applicant's representatives. There are two main issues argued within the remarks. First, the Roberts prior art does not disclose the use of collaborative email messages. Second, the Roberts prior art does not disclose the use of commands, such as reply, for collaborative email messages.

As for the first issue, the Hanson prior art discloses a design for collaborating and communication information and allows that communication to occur in electronic mediums (column 2, lines 23-34, Hanson). One such supported medium is electronic mail (column 2, lines 52-67, Hanson).

As for the second issue, since the Hanson prior art allows for collaborative email, commands performed within Hanson's design are for collaborative email systems. Commands such as reply are performed within Hanson's design. Within column 17, appendix A, it can be seen within the last four lines of code display the ability of the design to perform the reply command.

With the Hanson prior art, the examiner fails to note novelty within the claimed invention. If however the applicant and their representatives disagree, they are welcome to amend the claims to reflect such traits as long as they are supported by the specifications and the drawings.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC

V. Martin Wallace
V. Martin Wallace
Supervisory Patent Examiner